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MAY - 9 2007

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIAUNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re)	Case No. 04-30265-D-13L
)	Docket Control No. CRR-4
THOMAS MAXIMO,)	
)	
Debtor.)	DATE: May 8, 2007
)	TIME: 1:00 p.m.
)	DEPT: D (Courtroom 34)

MEMORANDUM DECISION ON MOTION FOR ADDITIONAL
ATTORNEYS FEES AND EXPENSES

Thomas Maximo ("Debtor") filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code ("Code") on October 13, 2004. Christopher Roman Rector ("Counsel") has continuously acted as Debtor's attorney and this is Counsel's first fee motion. Through this fee motion (the "Motion"), Counsel seeks approval of \$1,331.50 in fees and \$116.35 in costs.¹ Although no party has filed opposition to the Motion, the court has an independent duty to review all requests for compensation and to determine their reasonableness pursuant to § 328 of the Code.

Section 330 of the Code sets out the standard by which courts should determine the reasonableness of fees under Section 329 and reasonableness is determined by looking at the nature, extent and value of the services rendered. See In re Eliapo 298 B.R. 392, 401

¹ Counsel has already received \$4,000 in fees approved by order confirming Debtors' Chapter 13 Plan.

1 (9th Cir. BAP 2003). Section 330(a)(3) of the Bankruptcy Code states
2 that in determining the amount of reasonable compensation the court
3 should consider the nature, extent, and value of the services
4 rendered, taking account of all relevant factors, including the time
5 spent on the services, the rates charged for the services, and the
6 customary compensation of comparably skilled attorneys in other
7 cases.

8 The court finds that Counsel's hourly rates are reasonable and
9 the court does not have an issue with the quality of Counsel's
10 services. The court does have concern regarding certain services
11 that were charged as "review" of work performed. The time sheets in
12 support of the Motion also show a number of instances where letters
13 were prepared by an attorney or other employee and billed to the
14 client. These letters were then reviewed by another attorney, which
15 time was then again billed to the client. The time sheets show the
16 following:

17 1. On October 15, 2004 CRR billed .2 hours (\$40.00) for "Review
18 of letter to client."

19 2. On October 27, 2004 CRR billed .1 hours (\$20.00) for "Review
20 of letter to client."

21 3. On November 2, 2004 CRR billed .1 hours (\$20.00) for "Review
22 of letter to client."

23 4. On November 8, 2004 CRR billed .1 hours (\$20.00) for "Review
24 of letter to client."

25 5. On February 16, 2005 CRR billed .1 hours (\$20.00) for
26 "Review of letter to counsel."

27 6. On May 17, 2005 CRR billed .1 hours (\$20.00) for "Review of
28 letter to creditor."

1 7. On June 24, 2005 CRR billed .1 hours (\$20.00) for "Review of
2 letter to client."

3 8. On August 31, 2005 CRR billed .1 hours (\$20.00) for "Review
4 of letter to client."

5 9. On September 27, 2005 CRR billed .1 hours (\$20.00) for
6 "Review of letter to client."

7 10. On December 22, 2005 CRR billed .1 hours (\$20.00) for
8 "Review of letter to client."

9 11. On January 18, 2006 CRR billed .1 hours (\$20.00) for
10 "Review of letter to counsel."

11 12. On April 17, 2006 CRR billed .1 hours (\$20.00) for "Review
12 of letter to client."

13 13. On June 22, 2006 CRR billed .1 hours (\$20.00) for "Review
14 of letter to client."

15 14. On August 16, 2006 CJ billed .1 hours (\$17.50) for "Review
16 of letter to client."

17 15. On September 5, 2006 CJ billed .2 hours (\$35.00) for
18 "Review of letter & paperwork."

19 16. On December 22, 2006 CJ billed .1 hours (\$17.50) for
20 "Review of letter to client."

21 The court finds that the above-listed time entries are
22 duplicative and excessive and therefore, non-compensable.
23 Accordingly, the court will reduce the fees requested in the Motion
24 by \$350.00.

25 In light of the above deductions, Counsel's request for fees of
26 \$1,331.50 will be reduced by \$350.00 and the court will allow fees of
27 \$981.50 and costs of \$116.35 for a total of \$1,097.85.

28 / / /

1 A separate order will be entered consistent with this memorandum
2 decision.

3 Dated: MAY - 9 2007

Robert S. Bardwil
4 Robert S. Bardwil
5 United States Bankruptcy Judge
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Certificate of Service

I certify that on MAY - 9 2007 a copy of the foregoing document was mailed to the following:

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FOR THE COURT
RICHARD G. HELTZEL
CLERK, U.S. BANKRUPTCY COURT

By: Andrea Loheit

Deputy Clerk